

340091



THORP, REED & ARMSTRONG
ONE RIVERFRONT CENTER
PITTSBURGH, PENNSYLVANIA 15222

TELEPHONE (412) 394-7711 CABLE THORREED, PITTSBURGH

TELECOPIER (412) 394-2350 TWX 710-664-4290

(412) 394-2436

CHARLES M. THORP 1953-1942
 EARL F. REED 1994-1983
 CLYDE A. ARMSTRONG 1990-1975

KENNETH G. JACKSON
 WILLIAM C. O'NEIL
 JOSEPH E. MADVA
 WILLIAM D. SUTTON
 CLYDE W. ARMSTRONG
 HENRY A. MORROW, JR.
 FRANK J. GAFFNEY
 WILLIAM W. SCOTT, JR.
 JAMES B. HECHT
 CHARLES WEISS
 CHARLES R. VOLK
 EDMUND S. RUFFIN III
 THOMAS J. JACKSON
 RALPH T. D'ESTEFANO
 FRANK MAST
 RALPH F. SCALERA
 ALBERT MCBRIDE, JR.
 DAVID S. WATSON
 CHARLES M. THORP III
 G. DANIEL CARNEY
 WILLIAM M. WYCOFF
 JOSEPH DUFF SHUMAN
 MICHAEL YUKEVICH, JR.
 ROBERT H. SHOOP, JR.

PETER G. VEEDER
 JOHN H. BINGLER, JR.
 ROGER P. CONLEY
 WILLIAM A. DOOLEY
 ROGER M. GOLDEN
 CARL H. HELLERSTEDT, JR.
 JAMES K. GOLDBERG
 RICHARD I. THOMAS
 FRANK J. CLEMENTS
 SCOTT E. HENDERSON
 RICHARD V. SICA
 CHESTER R. BABST III
 J. FRANK McKENNA III
 RICHARD M. ZOMNIR
 JEFFREY S. BLUM
 KEITH L. WEST
 DAVID G. RIES
 DAVID A. SCOTT
 CARL L. LOPRESTI
 MARTIN J. SAUNDERB
 JOHN W. EICHLEAY, JR.
 RONALD J. WERNYAK
 C. JAMES ZESZUTEK
 JANE A. LEWIS

WILLIAM RODGERS, JR.
 JOSEPH MACK III
 TIMOTHY M. SLAVISH
 FORBES MAHER
 HENRY S. MILLER
 GLENN E. BOST II
 JEROME J. POTTMEYER III
 RICHARD R. RIEBE
 DEAN A. CALLAND
 JOHN D. HAWKINS
 JEFFREY S. KANNENSON
 PETER C. BLASIER
 BRIAN J. DOUGHERTY
 PRESTON T. SCOTT
 ANTHONY LARUSSA, JR.
 SIDNEY J. KELLY
 PETER K. BLUME
 MICHAEL R. BUCCI, JR.
 PATRICIA M. HEALY
 TED WESOLOWSKI
 TIMOTHY A. KNOWLES
 RICHARD P. MAYER
 KURT A. MILLER
 JAMES M. PLASYNSKI

MICHAEL J. TOMANA
 DODI W. KESSLER
 SCOTT P. MAGNUSON
 KEVIN C. ABBOTT
 DOUGLAS H. GREEN
 CLIFFORD B. LEVINE
 DEBORAH P. POWELL
 DAVID V. RADACK
 JO ANNE SCHWENDINGER
 MARK N. SUPRENTANT
 OF COUNSEL
 DAN M. BURT
 J. ROBERT MAXWELL
 JOHN DEAN O'BRIEN
 GEORGE A. STINSON
 GEORGE B. ANGEVINE
 PATENT COUNSEL
 PAUL T. O'NEIL
 SENIOR COUNSEL
 WILLIAM ANDERSON
 J. FRANK McKENNA, JR.

JAN 4 1985

Thompson,
Duane Marine
 COPY
 MT

1667 K STREET, N.W.
 WASHINGTON, DC 20006
 (202) 557-3700

2255 MAIN STREET
 SARASOTA, FL 33577
 (813) 966-0821

2401 MANATEE AVENUE, WEST
 BRADENTON, FL 33505
 (813) 748-8778

ONE TAMPA CITY CENTER
 TAMPA, FL 33602
 (813) 229-0674

December 31, 1984

Ms. Margaret Thompson
 Attorney
 Waste and Toxic Substances Branch
 Office of Regional Counsel
 U.S. Environmental Protection Agency
 Region II
 26 Federal Plaza
 New York, NY 10278

Re: Duane Marine Salvage - Gusmer Corporation

Dear Ms. Thompson:

This letter will confirm our telephone conversation of December 20, 1984 regarding the above-referenced matter in which we discussed the response of Gusmer Corporation to your \$ 104(e) letter request dated November 26, 1984. Gusmer Corporation responded to your request by letter dated December 4, 1984 which indicated that the company had never transported, stored, generated, disposed of or otherwise handled any hazardous substances subsequently handled by Duane Marine Salvage. At the time the initial search was conducted, Gusmer Corporation had not retained environmental counsel and had never been involved with a Superfund-type file search. After retaining this law firm as environmental counsel in this matter, Gusmer conducted a subsequent search for information relating to Duane Marine Salvage which was completed on or about December 11, 1984. This search turned up invoices and manifests that directly correlate with the computer printout information received at the December 13, 1984 meeting between the potentially responsible parties and EPA in New York. Records transmitted to Gusmer Corporation at the meeting indicated that four shipments of waste material may have gone to the site.

THORP, REED & ARMSTRONG

Ms. Margaret Thompson

December 31, 1984

Page Two

Re: Duane Marine Salvage - Gusmer Corporation

In light of the requirement contained in EPA's November 26 information request letter that the respondent notify EPA of any inaccuracies in its information submissions and based on this newly found information, you and I agreed to the following procedure.

First, we agreed that there was no need for Gusmer Corporation to photocopy and submit to EPA the additional information which reflects the same shipments as those contained in EPA's computer printout. Second, this letter will fulfill any statutory or regulatory responsibility of Gusmer Corporation to correct or update its December 4, 1984 response to EPA's 104(e) request. Gusmer Corporation recognizes, of course, that if any additional relevant information is found, such information must be submitted to the Agency. Finally, you agreed that no enforcement action of any kind would be taken against Gusmer Corporation for failure to uncover all relevant documents in its initial response to the information request letter.

Thank you for your attention to this matter.

Sincerely,

Dean A. Calland/rsm

Dean A. Calland

DAC:rsm

cc: Ms. Janet Feldstein
Mr. Frederick J. Werner